

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion for the appointment of counsel. The motion will be denied without prejudice.

“A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case.” *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether to appoint counsel for an indigent litigant, the Court considers certain factors, such as the complexity of the case, the ability of the *pro se* litigant to investigate the facts, the existence of conflicting testimony, and the ability of the *pro se* litigant to present her claims. *Id.*

After considering these factors, the Court finds that the appointment of counsel is not warranted at this time. This case is neither factually nor legally complex. Plaintiff has demonstrated that she can adequately present her claims to the Court, and it does not appear that her claims involve information unavailable to her. Finally, the defendant has yet to be served with process and discovery has not begun, so it is unclear whether there is conflicting testimony. However, the Court recognizes that the relevant circumstances may change. The Court will therefore deny the motion for the appointment of counsel without prejudice, and will entertain future motions for the appointment of counsel, if appropriate, as this litigation progresses.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for the appointment of counsel (Docket No. 3) is **DENIED** without prejudice.

Dated this 23rd day of October.



RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE